

BEFORE THE FEDERAL ELECTION COMMISSION

FEB 27 3 12 PM '96

In the Matter of

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MUR 3774

SUPPLEMENTAL AFFIDAVIT OF DAVID N. O'STEEN, PH.D.

This affidavit responds to the Federal Election Commission's letter of February 2, 1996, requesting supplemental responses to the questions originally contained in the Commission's SUBPOENA TO PRODUCE DOCUMENTS and ORDER TO SUBMIT WRITTEN ANSWERS dated August 7, 1995 in MUR 3774.

In its letter of February 2, 1996, addressed to James Bopp, Jr., counsel to National Right to Life Committee, Inc., the Commission asks the questions set forth below. In answering each question, I have first quoted the pertinent portions of each question asked, and then set forth my answers thereto. I incorporate the Commission's questions herein only as a matter of convenience and clarity. My quotation of the Commission's questions is not meant to indicate my agreement with statements, information or premises (whether implicit or explicit) contained in the questions. All of the answers herein are given to the best of my knowledge, recollection and belief.

QUESTION: To the extent that your client's responses are couched in terms of Mr. O'Steen's recollection, knowledge and belief, we assume that he has consulted with all persons within the organization who have knowledge that would assist Mr. O'Steen in formulating a full and accurate answer to the Commission's discovery requests. If this is not the case, please review your response and supplement it as appropriate.

ANSWER: As to each matter about which information was requested in the previous discovery request, I consulted with the person or persons within the organization whom I believed may have had specific knowledge concerning that particular matter.

QUESTION 2(c): . . . [Y]our clients indicate that Mr. O'Steen recalls certain dates of meetings between himself and the NRSC but the response does not state what source Mr. O'Steen consulted. If Mr. O'Steen consulted a date book or calendar memorializing these meetings, copies of such records should be provided.

ANSWER: Copies of the following pages from my desk calendar are attached hereto as Exhibit 1: January, February, April and June of 1992, and March of 1993.

**SUPPLEMENTAL AFFIDAVIT OF
DAVID N. O'STEEN, PH.D.**

2004-07-11-156

QUESTION 2(e): Your client's response states that of the \$85,000 received from the NRSC in 1992, \$17,372.75 was spent on phone banks and \$25,000 was paid to the Christian Coalition. State how the remaining \$42,628 was used.

ANSWER: I am unable to determine specifically how the remaining \$42,628 was spent.

QUESTION 2(e): With regard to the payments received from the NRSC in 1994, you provide a general response that states the payments were used for the "general purposes of the NRLC" State specifically how the payments were used.

ANSWER: As stated in my response to the FEC's initial discovery request, the payments from the NRSC in 1994 were spent for the purposes of NRLC, including non-partisan get-out-the-vote efforts. Some of the funds may have been used for some of the contributions to state right life organizations made between November 1, 1994 and January 1, 1995. However, I am not able to determine specifically how the payments were spent.

QUESTION 2(f): We note that no documents were produced in response to this question regarding whether the NRLC communicated the use of the payments to the NRSC, and as your response makes no mention of any documents, we assume that no such documents exist which contain evidence of, relate to or reference such communications. If this is not the case, please review your response and supplement it as appropriate.

ANSWER: To the best of my knowledge, there are no such documents.

QUESTION 3(a): Please provide . . . [c]opies of the checks (front and back) evidencing the NRLC's 1992 payments to the Christian Coalition discussed in your response.

ANSWER: Copies of the checks evidencing NRLC's 1992 payments to the Christian Coalition are attached hereto as Exhibit 2.

QUESTION 3(b): Please provide . . . [l]egible copies of banks statements including payments, or any portions of payments treated as loans, to the Christian Coalition, Minnesota Citizens Concerned for Life, Inc., Oregon Right to Life, New Jersey Committee for Life and the California Pro-Life Council.

ANSWER: Bank statements including payments to the following organizations are attached hereto as Exhibit 3: Christian Coalition, Minnesota Citizens Concerned for Life, Inc., Oregon Right to Life, New Jersey Committee for Life and the California Pro-Life Council. Please note that, although the check for \$15,000 to Christian Coalition is included in the bank statements

provided, it is not obvious on the face of said statements. A more detailed summary has been requested from the bank and will be provided upon receipt.

QUESTION 3(c): Please provide . . . [b]ank statements for December 1992 for Signet Bank accounts 6670042040 and 6670042008.

ANSWER: Bank statements for December, 1992 for Signet Bank accounts 6670042040 and 6670042008 are attached hereto as Exhibit 4.

QUESTION: We note that documents of certain types, such as in-house correspondence and memoranda, were not produced. We assume this means that no such documents exist which relate to or reference the timing, use or purpose of the payments. If this is not the case, please review your response and supplement it as appropriate.

ANSWER: To the best of knowledge, there are no in-house correspondence or memoranda which relate to or reference the timing, use or purpose of any such payments. Attached hereto as Exhibit 5 are two letters dated December 1, 1992 transmitting payments to the Christian Coalition and the Georgia Christian Coalition, respectively, and a response from Pat Robertson dated December 3, 1992. To the best of my knowledge, I did not receive a response from the Georgia Christian Coalition.

QUESTION 6: Clarify whether the \$50,000 expended by NRLC for telephone in connection with the U.S. Senate election in Minnesota in 1994 is separate and distinct from the \$50,000 contribution from NRLC to MCCL, Inc. in 1994.

ANSWER: The \$50,000 expended by NRLC for non-partisan get-out-the-vote calls in Minnesota is separate and distinct from the \$50,000 contribution from NRLC to MCCL, Inc. in 1994.

QUESTION 7(a): Provide . . . [c]opies of the guidelines provided to Optima Direct, Inc. pursuant to the November 4, 1994 Letter of Agreement produced as Exhibit F pages 9-13 of your client's response.

ANSWER: I am not aware of the existence of any "guidelines" pursuant to NRLC's November 4, 1994 agreement with Optima Direct, Inc. To the best of my knowledge, recollection and belief, NRLC merely informed Optima of the names of the candidates and provided a telephone script.

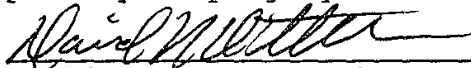
QUESTION 7(b): Identify the individual who acted as program manager for Optima Direct, Inc. pursuant to Paragraph C of the November 4, 1994 Letter of Agreement.

ANSWER: I do not know whom Optima Direct, Inc. considered to be its "program manager."

QUESTION 10: Please provide complete tax returns reflecting the entire calendar year for 1992 and 1994 with all attached schedules.

ANSWER: Attached hereto as Exhibit 6 are NRLC's tax returns (with all attached schedules) reflecting the fiscal years from May 1, 1992 to April 30, 1993, and from May 1, 1994 to April 30, 1995. Along with the tax returns provided pursuant to the previous discovery request, these tax returns provide complete coverage of calendar years 1992 and 1994.

I, David N. O'Steen, being duly sworn, make the statements contained in this affidavit to the best of my personal knowledge, information and belief, under penalty of perjury.



David N. O'Steen, Ph.D.

2/27

, 1996

DISTRICT OF COLUMBIA)

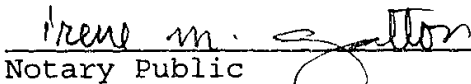
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CITY OF WASHINGTON)

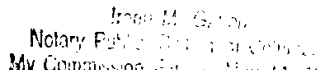
Before me, a Notary Public in and for said City and District, personally appeared David N. O'Steen, and acknowledged the execution of the foregoing instrument and made oath that the information provided therein was made to the best of his personal knowledge, information and belief, and, where based on information and belief, he believes the information to be true.

Witness my hand and notarial seal this 27th day of

FEBRUARY, 1996.


Notary Public

My Commission Expires:


My Commission Expires May 14, 1996

SUPPLEMENTAL AFFIDAVIT OF
DAVID N. O'STEEN, PH.D.



419 7th St. N.W.
Suite 500
Washington, D.C. 20004

IN PAYMENT FOR

15-80/540

6285

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PAY TEN THOUSAND

NO
100

DOLLARS

TO THE ORDER OF	DATE	CHECK NO.	ACCT. NO.		CHECK AMOUNT
			SUB	GEN	
GEORGIA CHRISTIAN COALITION	12-1-92	6285	55	844	10,000.00

4167 Chads Crossing
Manitla, GA. 30062

SIGNET BANK.. WASHINGTON, D.C.

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David M. D. [Signature]

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RIGHT TO LIFE**
committee, inc.

419 7th Street, N.W.
Suite 500
Washington, D.C. 20004

IN PAYMENT FOR

15-BU/540

6284



NO
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DOLLARS

PAY Fifteen Thousand

TO THE ORDER OF	DATE	CHECK NO.	ACCT. NO.		CHECK AMOUNT
			SUB	GEN	
Christian Coalition	12-11-92	6284	55	894	15,000.00

825 GREENBRIER CIRCLE #202
CHESAPEAKE, VA. 23320

SIGNET BANK.. WASHINGTON, D.C.

David H. Hutter

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P.O. BOX 26587
RICHMOND, VA
804-752-2430

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**National
RIGHT TO LIFE**
committee, inc.

Suite 500, 419 7th Street, N.W.
Washington, D.C. 20004-2293 — (202) 626-8800 (FAX) 737-9189 or 347-5907

December 1, 1992

Mr. Ralph Reed
Christian Coalition
825 Greenbrier Circle, #202
Chesapeake, VA 23320

Dear Ralph,

The enclosed \$15,000.00 contribution is to be used
for activities consistent with your charter and Section
501 (c) (4) of the Internal Revenue Code.

We very much appreciate your work on behalf of the
pro-life cause and look forward to working with you against
FOCA.

Sincerely,

David N. O'Steen, PhD
Executive Director

Enclosure

**National
RIGHT TO LIFE**
committee, inc.

419 7th Street, N.W.
Suite 500
Washington, D.C. 20004

IN PAYMENT FOR

15-80/540

6284

PAY FIFTEEN THOUSAND

NO
100

DOLLAR

TO THE ORDER OF	DATE	CHECK NO.	ACCT. NO.		CHECK AMOUNT
			SUB	GEN	
Christian Coalition	12-1-92	6284	55	844	15000

825 GREENBRIER CIRCLE #202
CHESAPEAKE, VA. 23320

SIGNET BANK.. WASHINGTON, D.C.



Suite 500, 419 7th Street, N.W.
Washington, D.C. 20004-2293 -- (202) 626-8800 (FAX) 737-9189 or 347-5907

December 1, 1992

Pat Gartland
Georgia Christian Coalition
4167 Chads Crossing
Marietta, GA 30062

Dear Pat,

The enclosed \$10,000.00 contribution is to be used
for activities consistent with your charter and Section
501(c)(4) of the Internal Revenue Code.

We very much appreciate your work on behalf of the
pro-life cause.

Sincerely,

David N. O'Steen, PhD
Executive Director

Enclosure



419 7th Street, N.W.
Suite 500
Washington, D.C. 20004

IN PAYMENT FOR

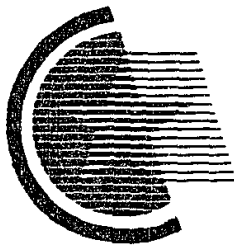
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PAY <u>TEN</u> <u>THOUSAND</u> <u>NO</u> <u>100</u> DOLL								
TO THE ORDER OF	DATE	CHECK NO.	ACCT. NO. SUB	ACCT. NO. GEN	CHECK AMT			
GEORGIA CHRISTIAN COALITION	12-1-92	6285	55	844	10,000			
4167 CHADS CROSSING								
MARIETTA, GA. 30062								

SIGNET BANK... WASHINGTON, D.C.

006285 054000807 6670042008



Christian Coalition

December 3, 1992

David N. O'Steen, PhD
Executive Director
National Right To Life
Suite 500, 419 7th Street, N.W.
Washington, DC 20004-2293

Dear David:

I wanted to take this opportunity to thank you personally for your recent gift of \$15,000.00 to the Christian Coalition and its ongoing campaign to give Christians a voice in their government again.

Your support is making it possible to train and equip Christians for effective political action across the nation. We are raising up an army that will stand for righteousness!

The Christian Coalition is already having an impact as a major political force in the nation. We have in operation approximately 552 chapters in all 50 states, and our grassroots network of activists is involved in promoting Christian values before school boards, state legislatures, and Congress. Thank you for being a part of this exciting endeavor to return America to greatness.

I appreciate your prayers, your support, and your financial assistance to the Christian Coalition. God bless you. I am

Sincerely,

Pat Robertson

PR/mjl